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OFFICE OF PETITIONS

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#3 PATENTS
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT APPLICATION

Applicant : Jose P.S. Ferreira
Application No.: 09/783,448 Confirmation No.: 2080
Filed : February 14, 2001
For : METHODS AND SYSTEMS FOR PRESENTING A
VIRTUAL REPRESENTATION OF A REAL CITY
Group Art Unit : 2161
Examiner : Not Yet Known

New York, New York 10020
September 20, 2001

Hon. Commissioner for Patents
Washington, D.C. 20231

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PETITION UNDER 37 C.F.R. §§ 1.36 AND 10.40(c)(1)(vi) **Technology Center 2100**
TO WITHDRAW FROM REPRESENTATION

Sir:

Pursuant to 37 C.F.R. §§ 1.36 and 10.40(c)(1)(vi),
the undersigned agent of record hereby petitions on his own
behalf, and, being authorized to petition on behalf of each
of the other attorneys of record, the undersigned agent
hereby petitions on behalf of each of the other attorneys of
record (i.e., Robert R. Jackson, Esq., Reg. No. 26,183,
Jeffrey H. Ingerman, Esq., Reg. No. 31,069, Matthew T.
Byrne, Esq., Reg. No. 40,934), for permission to withdraw
from representation of applicant in the above-identified

patent application because "petitioners' client has failed to pay ... bills rendered by the [petitioners] for an unreasonable period of time" (37 C.F.R. § 10.40(c)(1)(vi)).

Pursuant to MPEP § 402.06, this Petition is being submitted in triplicate (this original and two copies). As also required by MPEP § 402.06, mailing addresses of the undersigned and of the applicant are set forth at the end of this Petition.

Statement of Facts

In early January 2000, Fish & Neave, an intellectual property law firm of which each of the above-referenced attorneys and agent are either a member or an employee, was retained by Mr. Jose P.S. Ferreira to prepare and file United States Provisional Patent Application No. 60/182,282, filed February 14, 2000 (now abandoned), the above-identified Patent Application No. 09/783,448 claiming priority from said Provisional Patent Application, and related Patent Cooperation Treaty Application No. PCT/US01/04769, filed February 14, 2001.

Mr. Ferreira subsequently formed a company called VirtuaCities, Inc. to develop the subject matter of the invention. The invention and patent applications identified above were assigned to VirtuaCities, Inc. Mr. Ferreira was and remains the President and CEO of VirtuaCities, Inc.

Since January 2000, Fish & Neave billed Mr. Ferreira a total of \$28,185.45 in fees and disbursements for the preparation and filing of the above-identified patent applications, as well as certain routine follow-up services such as forwarding the Filing Receipt and conferring with Mr. Ferreira regarding the status of the application. Mr. Ferreira has only made payments in the amount of \$2,370.22, and has not made a payment since May 4, 2000, over a year ago. At the present time, there exists an outstanding balance of \$25,386.76 owed to Fish & Neave. Of that, \$8,948.05 has been owed since December 6, 2000.

Fish & Neave has contacted Mr. Ferreira both in writing and telephonically on numerous occasions in connection with the outstanding balance, but no payment has been made.

This Petition Should Be Granted

The Patent and Trademark Office has not yet issued a first Office Action in connection with this Application No. 09/783,448. Accordingly, there is sufficient time remaining for this petition to be granted and for applicant to have more than thirty days to respond to any subsequently issued Office Action. Thus, applicant would not be prejudiced by the granting of this Petition (MPEP § 402.06).

The undersigned has sent copies of the files of the application to the applicant.

For the reasons set forth above, petitioners respectfully request that this petition be granted promptly, and that the United States Patent and Trademark Office direct all future correspondence to the applicant at the following address:

Mr. Jose Ferreira
c/o VirtuaCities, Inc.
96 Fifth Avenue
Apt. 11K
New York, NY 10011

An early and favorable action on this Petition is respectfully requested.

Respectfully submitted,

ROBERT R. JACKSON
Reg. No. 26,183
JEFFREY H. INGERMAN
Reg. No. 31,069
MATTHEW T. BYRNE
Reg. No. 40,934
Attorneys for Applicant
ALEXANDER SHVARTS
Reg. No. 47,943
Agent for Applicant

By:



Alexander Shvarts
Registration No. 47,943

FISH & NEAVE
1251 Avenue of the Americas
New York, New York 10020-1104
Telephone: (212) 596-9000

I Hereby Certify that this
Correspondence is being
deposited with the U.S.
Postal Service as First
Class Mail in an Envelope
Addressed to: ASSISTANT
COMMISSIONER FOR
PATENTS
WASHINGTON, D.C. 20231 on
September 20, 2001
Charles R. Baintil
Signature of Person Signing

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